

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

The State of South Carolina,

Plaintiff,

v.

Minister Toure Ali, *Ex Rel* *Tori-Keon:  
Thompson [Suri Juris]*,

Defendant.

C/A No. 3:17-01537-TLW-PJG

**ORDER**

Defendant, who is proceeding *pro se*, filed a Notice of Removal seeking to remove his state criminal case to federal court because he asserts it contains a federal question.<sup>1</sup> ECF No. 1. The matter now comes before this Court for review of the Report and Recommendation (R&R) filed by Magistrate Judge Gossett to whom this case was assigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2), DSC. ECF No. 9. In the R&R, the Magistrate Judge recommends that the Court remand the case back to the Lexington County Court of General Sessions for lack of federal subject matter jurisdiction. Objections to the R&R were due on August 22, 2017, and Defendant filed no objections.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's R&R to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that R&R. 28 U.S.C. § 636. In the absence of objections to the R&R, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

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<sup>1</sup> Specifically, Defendant asserts there is a federal question as to whether it was a violation of his Constitutional rights for a police officer to confiscate his Xi Amaru Tribal Government International Indigenous Society ID during a traffic stop. ECF No. 1 at 3.

The Court has carefully reviewed the R&R and given appropriate consideration to Defendant's filings in this case. This Court adopts the Magistrate Judge's position that Defendant's case does not fall within the limited circumstances when a state criminal proceeding can be removed to federal court. Therefore, noting that no objections were filed, the R&R is hereby ACCEPTED. For the reasons articulated by the Magistrate Judge in the R&R, this case is hereby REMANDED to the Lexington County Court of General Sessions.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
Chief United States District Judge

September 13, 2017  
Columbia, South Carolina